

BEFORE THE HUMAN RIGHTS COMMISSION  
OF THE STATE OF MONTANA

DEBRA SANFORD, CRISTY LOOSE, GAIL  
OLSON, SANDRA WESTHOFF, &  
KENNETH RICE,

Case # 0071012210-18 &  
0071012221-26

ORDER

Charging Parties,

-v-

WESTERN SECURITY BANK, GLACIER  
BANCORP & JAMES WALKER,

Respondents.

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Debra Sandford, Cristy Loose, Gail Olson, Sandra Westhoff and Kenneth Rice (the Bank Employees) filed complaints with the Department of Labor and Industry (Department) alleging that Western Security Bank, Glacier Bancorp and James Walker discriminated against them on the basis of their respective ages. Following an informal investigation, the Department determined that a preponderance of the evidence did not support the Bank Employees allegations of unlawful discrimination. The Department issued a Notice of Dismissal. The Bank Employees filed objections with the Montana Human Rights Commission (Commission) and the cases were consolidated. The Commission considered the matter on September 18, 2007. Jack Stone appeared and argued on behalf of the Bank Employees. Mikel Moore appeared and argued on behalf Western Security Bank, Glacier Bancorp and James Walker.

The Commission reviews a decision of the Department to dismiss a complaint using an abuse of discretion standard. *Chap. 28, L. 2007, New Section 6(2)*. After careful consideration, the Commission concludes the determination of the Department to dismiss the complaints in this case is not an abuse of discretion.

A party may ask a district court to review the decision of the Commission to affirm the dismissal of a complaint. *Chap. 28, L. 2007, New Section 6(3); Mont. Code Ann. § 2-4-702.*

Alternatively, if a charging party chooses to commence a civil action, charging party has 90 days after the receipt of this order to petition a district court, in the district where the alleged violation occurred, for the appropriate relief. *Chap. 28, L. 2007, New Section 6(3).* If a charging party fails to commence a civil action within 90 days, the claim is time barred. *Id.*

IT IS HEREBY ORDERED, that Debra Sandford's, Cristy Loose's, Gail Olson's, Sandra Westhoff's and Kenneth Rice's objections are **overruled**. The Commission affirms the determination of the Human Rights Bureau to dismiss the complaint against Western Security Bank, Glacier Bancorp and James Walker.

DATED this \_\_\_\_ day of September, 2007.

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Acting Chair Allen Secher  
Human Rights Commission

## CERTIFICATE OF SERVICE

The undersigned secretary for the Human Rights Commission certifies that a true and correct copy of the foregoing ORDER was mailed to the following by U.S. Mail, postage prepaid, on this \_\_\_\_\_ day of September, 2007.

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Montana Human Rights Bureau